

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,)	
)	
Plaintiff,)	
)	Case No. 2:22-cv-293-JRG
vs.)	
)	JURY TRIAL DEMANDED
SAMSUNG ELECTRONICS CO, LTD;)	(Lead Case)
SAMSUNG ELECTRONICS AMERICA,)	
INC.; SAMSUNG SEMICONDUCTOR)	
INC.,)	
)	
Defendants.)	

NETLIST, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 2:22-cv-294-JRG
)	
MICRON TECHNOLOGY, INC.;)	JURY TRIAL DEMANDED
MICRON SEMICONDUCTOR)	
PRODUCTS, INC.; MICRON)	
TECHNOLOGY TEXAS LLC,)	
)	
Defendants.)	

DECLARATION OF JASON G. SHEASBY IN SUPPORT OF PLAINTIFF
NETLIST, INC.'S MOTION TO (1) DISMISS MICRON DEFENDANTS'
COUNTERCLAIMS OR IN THE ALTERNATIVE SEVER AND STAY AND
(2) STRIKE MICRON DEFENDANTS' AFFIRMATIVE DEFENSE OF
PATENT MISUSE

I, Jason G. Sheasby, declare as follows:

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist’s Motion to Dismiss Micron Defendants’ Counterclaims or in the alternative sever and stay and (2) strike Micron Defendants’ Affirmative Defense of patent misuse. I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit A** is a true and correct excerpted copy of the Strategic Product Supply and License Agreement dated April 5, 2021 between Netlist and SK Hynix, Inc. Netlist produced this document to Micron on February 21, 2023.

3. Attached as **Exhibit B** is a true and correct copy of Netlist, Inc.’s Initial Disclosures and Additional Disclosures served on December 8, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed on September 19, 2023, in Los Angeles, California.

By /s/ Jason G. Sheasby
Jason G. Sheasby